

REMARKS

Claims 1-44 are pending in the application. Claims 1, 6, 16, 22, 29, 31, 36, and 41 are independent. By the foregoing Amendment, claim 1 has been amended. It is believed that these changes introduce no new matter and their entry is respectfully requested.

Rejection of Claims 1-44 Under 35 U.S.C. §102(b)

In the Office Action, the Examiner rejected claims 1-44 35 U.S.C. §102(b) as being anticipated by Service Advertisement and Discovery: Enabling Universal Device Cooperation, by Golden G. Richard III. (hereinafter “Richard III”). A claim is anticipated only if each and every element of the claim is found, either expressly or inherently, in a reference. (MPEP §2131 *citing Verdegall Bros. v. Union Oil Co. of California*, 814 F.2d 628 (Fed. Cir. 1987)). The identical invention must be shown in as complete detail as is contained in the claim. *Id. citing Richardson v. Suzuki Motor Co.*, 868 F.2d 1226,1236 (Fed. Cir. 1989)). Applicants respectfully traverses the rejection.

Representative independent claim 1 recites in pertinent part “***defining a service-specific protocol*** to facilitate remote control of a service provided by the remote device; ***sending data*** corresponding to the service provided by the remote device via a host-side software module running on a host computer ***in a format defined by the service-specific protocol*** from the host computer to the remote device ***over a network communication link***; and ***sending control commands*** from the host computer to the remote device ***based on the service-specific protocol*** to cause the remote device to perform the service using the data that are sent to the remote device” (emphasis added). Independent claim 22 recites in pertinent part “***defining an input service-specific protocol***” (emphasis added).

In the Office Action, the Examiner states that Richard III teaches the elements of claim 1. Specifically, the Examiner argues that Richard III teaches “the use of Universal Plug and play for providing a user with a set of device descriptions and list of associated device services, which allow for selective retrieval of service descriptions, and allow for invoking of control actions ***via service specific protocols***” (emphasis added). Applicants respectfully disagree.

Richard III appears to be directed to a survey of service discovery technologies such as Bluetooth, Jini, Salutation, and Universal Plug and Play (UPnP). Applicants respectfully submit that Richard III does not expressly or inherently teach service-specific protocols. Richard III presumes that all devices in a particular network utilize the same technology protocol. This is the problem addressed in the survey. That is, Richard III states that “[s]ince none of these technologies is a superset of the others and none is mature enough to dominate the market, interoperation among them will require bridging mechanisms.” Thus, in reading Richard III, any protocols operating in a network are not service-specific protocols, but are protocols based on the particular technology, *i.e.*, Bluetooth protocol, Jini protocol, etc. Because the Examiner has failed to show where Dubal teaches each and every element of the claimed invention, either expressly or inherently, Applicants respectfully submit that the rejection of claims 1-44 as being anticipated by Richard III is improper. Accordingly, Applicants respectfully request that the Examiner reconsider and remove the rejection.

Applicants also respectfully request that the Examiner examine claims 1-44 separately with respect to Richard III. MPEP §707.07(d) states that ***a plurality of claims should never be grouped together in a common rejection*** unless rejection is equally applicable to all claims in that group. Applicant respectfully submits that the Examiner has not pointed to a teaching in Richard III of ***“launching a host-side software module*** to run on the host computer to enable interaction with the service via a service protocol that is specific to the service and a client-side component running on the remote device” (emphasis added) as recited in independent claim 6. The Examiner has not pointed to a teaching in Richard III of ***“determining display capabilities of the remote device”*** (emphasis added) as recited in independent claim 16. The Examiner has not pointed to a teaching in Richard III of ***“determining display capabilities of the remote device”*** (emphasis added) as recited in independent claim 22. The Examiner also has not pointed to a teaching in Richard III of the subject matter recited in the dependent claims 2-5, 7-15, 17-21, 23-28, 30, 32-35, 37-40, and/or 42-44. Applicants respectfully request therefore that the Examiner ungroup claims 1-44 and examine them separately.

In the Office Action, the Examiner rejected claims 1-44 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,711,630 to Dubal et al. (hereinafter “Dubal”). Applicants respectfully traverse the rejection.

Dubal appears to be directed to “a method and apparatus for communicating with a network adapter in a Microsoft® plug and play operating system.” Applicants respectfully submit that Dubal does not expressly or inherently teach service-specific protocols. Dubal presumes that all devices, e.g., network adapters, sound cards, etc., utilize the same technology protocol based on the Microsoft® plug and play operating system. Dubal does not even mention protocols let alone service-specific protocols. Because the Examiner has failed to show where Dubal teaches each and every element of the claimed invention, either expressly or inherently, Applicants respectfully submit that the rejection of claims 1-44 as being anticipated by Dubal is improper. Accordingly, Applicants respectfully request that the Examiner reconsider and remove the rejection.

Applicants also respectfully request that the Examiner examine claims 1-44 separately with respect to Dubal. (See MPEP §707.07(d)). Applicant respectfully submits that the Examiner has not pointed to a teaching in Dubal of “*launching a host-side software module* to run on the host computer to enable interaction with the service via a service protocol that is specific to the service and a client-side component running on the remote device” (emphasis added) as recited in independent claim 6. The Examiner has not pointed to a teaching in Dubal of “*determining display capabilities* of the remote device” (emphasis added) as recited in independent claim 16. The Examiner has not pointed to a teaching in Dubal of “*determining display capabilities* of the remote device” (emphasis added) as recited in independent claim 22. The Examiner also has not pointed to a teaching in Dubal of the subject matter recited in the dependent claims 2-5, 7-15, 17-21, 23-28, 30, 32-35, 37-40, and/or 42-44. Applicants respectfully request therefore that the Examiner ungroup claims 1-44 and examine them separately.

In the Office Action, the Examiner rejected claims 1-44 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,636,211 to Newlin et al. (hereinafter “Newlin”). Applicants respectfully traverse the rejection.

Newlin appears to be directed to a universal multimedia access device. Applicants respectfully submit that Newlin does not expressly or inherently teach service-specific protocols. Newlin states that [e]Except for some predetermined services, such as the broadcast of "free" material, **a communication protocol** between the processing unit 50 and the multimedia network 22 is utilized to initiate and maintain communication between the multimedia access apparatus/application-specific module 90 and the desired service provider" (emphasis added). This implies that either there is no communication protocol, such as in the case of "free" material, or a single communication protocol. Newlin does not teach or that this single communication protocol is a service-specific protocol. Because the Examiner has failed to show where Newlin teaches each and every element of the claimed invention, either expressly or inherently, Applicants respectfully submit that the rejection of claims 1-44 as being anticipated by Newlin is improper. Accordingly, Applicants respectfully request that the Examiner reconsider and remove the rejection.

Applicants also respectfully request that the Examiner examine claims 1-44 separately with respect to Newlin. (See MPEP §707.07(d)). Applicant respectfully submits that the Examiner has not pointed to a teaching in Newlin of "**launching a host-side software module** to run on the host computer to enable interaction with the service via a service protocol that is specific to the service and a client-side component running on the remote device" (emphasis added) as recited in independent claim 6. The Examiner has not pointed to a teaching in Newlin of "**determining display capabilities** of the remote device" (emphasis added) as recited in independent claim 16. The Examiner has not pointed to a teaching in Newlin of "**determining display capabilities** of the remote device" (emphasis added) as recited in independent claim 22. The Examiner also has not pointed to a teaching in Newlin of the subject matter recited in the dependent claims 2-5, 7-15, 17-21, 23-28, 30, 32-35, 37-40, and/or 42-44. Applicants respectfully request therefore that the Examiner ungroup claims 1-44 and examine them separately.

CONCLUSION

Applicant submits that all grounds for rejection have been properly traversed, accommodated, or rendered moot, and that the application is now in condition for allowance. The Examiner is invited to telephone the undersigned representative if the Examiner believes that an interview might be useful for any reason.

Respectfully submitted,

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Date: 4/24/2006

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